



1762
PATENT

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Atty. Docket No.
ARC2452 D1
CN 27777

Date: August 5, 2004 By: Jolanta Pence
Jolanta Pence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Murdock, Thomas

Serial No.: 10/042,508

Filed: January 08, 2002

For: **ANHYDROUS DRUG RESERVOIR FOR
ELECTROLYTIC TRANSDERMAL
DELIVERY DEVICE**

Group Art Unit: 1762

Examiner: Jennifer Kolb
Michener

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the

mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-SB-08A are enclosed herewith.

Copies of references listed on the attached Form PTO-SB-08A are enclosed herewith EXCEPT THAT:

In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-SB-08A are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

There are no listed references, which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

. Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications, which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750.

Date: *August 4, 2004,*

ALZA CORPORATION
c/o Johnson & Johnson
One Johnson & Johnson Plaza, WH3221
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Respectfully submitted,



Attorney for Applicants

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SUBMISSION UNDER MPEP 609 D

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<i>Application Number</i>	10/042,508
<i>Filing Date</i>	January 08, 2002
<i>First Named Inventor</i>	Thomas O. Murdock
<i>Group Art Unit</i>	1762
<i>Examiner Name</i>	Jennifer Kolb Michener
<i>Attorney Docket Number</i>	ARC 2452 D1

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

OTHER PRIORITY - NON-PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		International Search Report dated April 28, 1999 for corresponding Appl. No. PCT/US98/26778.	
Examiner Signature		Date Considered	



Substitute for form 1449A-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/042,508
Filing Date	January 8, 2002
First Named Inventor	Thomas O. MURDOCK
Group Art Unit	1762
Examiner Name	Jennifer Kolb Michener
Attorney Docket Number	ARC 2452 D1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
	AA	3,991,755		Vernon et al.	11/16/1976	
	AB	4,141,359		Jacobsen et al.	02/27/1979	
	AC	4,250,878		Jacobsen et al.	02/17/1981	
	AD	4,383,529		Webster	05/17/1983	
	AE	4,398,545		Wilson	08/16/1983	
	AF	4,474,570		Ariura et al.	10/02/1984	
	AG	4,731,049		Parsi	03/15/1988	
	AH	4,764,164		Saski	08/16/1988	
	AI	4,842,577		Konno et al.	06/27/1989	
	AJ	4,878,892		Sibalis et al.	11/07/1989	
	AK	4,927,408		Haak et al.	05/22/1990	
	AL	4,940,456		Sibalis et al.	07/10/1990	
	AM	5,080,646		Theeuwes et al.	01/14/1992	
	AN	5,158,537		Haak et al.	10/27/1992	
	AO	5,310,404		Gyory et al.	05/10/1994	
	AP	5,385,543		Haak et al.	01/31/1995	
	AQ	5,464,387		Haak et al.	11/07/1995	
	AR	5,496,266		Haak et al.	03/05/1996	
	AS	5,503,632		Haak et al.	04/02/1996	
	AT	5,533,971		Phipps	07/09/1996	
	AU	5,573,668		Grosh et al.	11/12/1996	
	AV	5,624,415		Cormier et al.	04/29/1997	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PTO-SB-08A (08-00)
Approved for use through 10-31-2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
	AW	5,645,527		Beck	07/08/1997	
	AX	5,647,844		Haak et al.	07/15/1997	
	AY	5,668,170		Gyory	09/16/1997	
	AZ	5,730,716		Beck et al.	03/24/1998	
	BA	5,993,435		Haak et al.	11/30/1999	
	BB	5,736,580		Huntington et al.	04/07/1998	
	BC	5,908,400		Higo et al.	06/01/1999	
	BD	6,057,374		Huntington et al.	05/02/2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
	BG	WO	93/24177		ALZA Corporation	12/09/1993		
	BH	WO	93/18727		Becton Dickinson and Company	09/30/1993		
	BI	WO	96/05884		IOMED, INC..	02/29/1996		
	BJ	GB	410 009		A. A. THORNTON	05/10/1934		
	BK	EP	1 049 515	B1	ALZA Corporation	06/26/2002		

Examiner Signature	Date Considered
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